

**October 11, 2016**

The regular meeting of the City Council of the City of Fairmont was held at 7:00 p.m. on the 11<sup>th</sup> day of October, 2016, at the Public Safety Building located at 500 Quincy Street in Fairmont, West Virginia.

Mayor Straight called the meeting to order.

Councilmembers present were:

First District	Marianne Moran
Second District	Frank G. Yann
Third District	Robert (Rob) Linger
Fourth District	William H. (Bill) Burdick
Fifth District	Fran Warner
Sixth District	Daniel K. (Dan) Weber
Eighth District	Thomas (Tom) Mainella
Ninth District	Ronald J. (Ron) Straight, Sr.

Councilmembers absent were:

Seventh District	Philip R. (Phil) Mason
------------------	------------------------

Also present were:

City Manager	Robin I. Gomez
City Clerk	Janet L. Keller
City Attorney	Kevin Sansalone
Communications Director	Hanna Weaver
Fire Chief	Edward J. Simmons

**IN RE: EXCUSE COUNCILMEMBER MASON**

Councilmember Warner made a motion to excuse Councilmember Mason from tonight's meeting. Councilmember Yann seconded the motion.

The Mayor declared Councilmember Mason excused by voice vote of Council.

**IN RE: OPENING CEREMONIES**

Rev. Larry Collins of Miles Chapel Church gave the invocation followed by the Pledge of Allegiance to the Flag led by Councilmember Warner.

## **APPROVAL OF MINUTES**

Mayor Straight noted that each member of Council had received a copy of the minutes from the Regular Meeting held on September 27, 2016.

Councilmember Mainella moved to approve the minutes as submitted. The motion was seconded by Councilmember Moran.

The Mayor declared the minutes approved as submitted by voice vote of Council.

## **PUBLIC HEARINGS**

No public hearings were scheduled for this meeting.

## **ANNOUNCEMENTS**

### **IN RE: RESTORATION TO DUNBAR SCHOOL**

Councilmember Weber recognized several individuals for organizing volunteers for the cleaning and painting of the old Dunbar School.

### **IN RE: CITY PLANNER COMMENDED**

Councilmember Weber commended City Planner Sandra Scaffidi for setting the dates for the upcoming Comprehensive Planning meetings.

### **IN RE: HURRICANE MATTHEW**

Councilmember Linger asked everyone to keep the people on the east coast in our thoughts and prayers for their loss during Hurricane Matthew. He encouraged everyone to help out where they can.

### **IN RE: PLAYGROUND EQUIPMENT**

Councilmember Yann stated that the playgrounds on the East Side have been left alone and he would hope that they would start getting some attention. He said that he noticed a new fence at Norwood and hopefully the small playground on Morgantown Avenue would be utilized a lot more if the tennis court was fixed up and get some playground equipment in there.

## CITIZENS PETITIONS

### **IN RE: FUNDING REQUESTED FOR FAIRMONT CHAMBER MUSIC SOCIETY**

**BRENDA GIANNIS**, with the Fairmont Chamber Music Society, stated that she was here tonight to follow up from the request that was made at the August 23<sup>rd</sup> meeting requesting funding for the Music Society. She said that their grant has been denied after 30 plus years and they are in need of funds. She then asked City Council if they could provide any financial contributions to the Music Society.

Councilmember Mainella stated they could fill out a request as an Outside Agency to be considered during the next budget preparation.

### **IN RE: INCIDENT INVOLVED JUVENILES**

Spencer Powell, Britney Moreland, Devin Powell, and Michael Meade spoke about an alleged altercation on September 30<sup>th</sup> involving a City of Fairmont Police Officer and a Marion County Deputy Sheriff and a group of juveniles.

## CITY MANAGER'S REPORT

### **IN RE: VIDEO ON AMR PROJECT**

**HANNA WEAVER** presented a video presentation on the Utility Department AMR project. It was reported that Fairmont residents will be able to monitor their water reading meter data online, hopefully earlier than November. City residents will also be alerted on excessive water usage.

### **IN RE: COMPREHENSIVE PLANNING MEETINGS**

Mr. Gomez reported that dates have been finalized for the upcoming meetings regarding the comprehensive Plan. He presented Council with a list of the meeting dates and noted that all meetings are opened to the public.

### **IN RE: NEWSLETTER FROM REPUBLIC SERVICES**

Mr. Gomez announced that Republic Services will be mailing to every Fairmont customer a tri-fold newsletter that will have the recycling schedule. He noted that it will list every street in the City and when your recycling

week will be.

### **CONSIDERATION OF COUNCIL BUSINESS**

**IN RE: INTRODUCTION, FIRST READING, SET PUBLIC HEARING, AN ORDINANCE OF THE COUNCIL FOR THE CITY OF FAIRMONT PROVIDING FOR THE REZONING OF THAT CERTAIN PARCEL OF REAL ESTATE IN THE CITY OF FAIRMONT, FAIRMONT DISTRICT, MARION COUNTY, WEST VIRGINIA, SITUATE AT THE CORNER OF CHAMBERLAIN AVENUE AND 11<sup>TH</sup> STREET, AND BEING PARCEL 93 OF MARION COUNTY TAX MAP 03-06, SAID REAL ESTATE BEING REZONED FROM "NEIGHBORHOOD MIXED USE" TO "EDUCATION" AND PROVIDING FOR AN AMENDMENT TO THE ZONING MAP OF THE CITY OF FAIRMONT**

Mayor Straight entertained a motion and a second for the introduction of an ordinance providing for the rezoning of parcels at the corner of Chamberlain Avenue and 11<sup>th</sup> Street from "Neighborhood Mixed Use" to "Education".

Motion:

Councilmember Moran moved for the introduction of the proposed ordinance and the reading of a synopsis in lieu of the entire ordinance. Councilmember Linger seconded the motion.

The Clerk read the proposed ordinance by synopsis for the first time.

The Mayor declared the public hearing set for October 25, 2016 by voice vote of Council.

**IN RE: INTRODUCTION, FIRST READING, SET PUBLIC HEARING, AN ORDINANCE PROVIDING FOR THE VACATION AND ABANDONMENT OF AN UNOPENED PORTION OF THE RIGHT OF WAY OF CABIN TRAIL IN THE CITY OF FAIRMONT, FAIRMONT DISTRICT, MARION COUNTY, WEST VIRGINIA, AND BEING THAT CERTAIN PORTION OF THE RIGHT OF WAY OF CABIN TRAIL SITUATE BETWEEN PARCEL NO. 3 AND LOTS NOS. 41, 42, 43 AND 44 AS SHOWN ON THE PLAT ENTITLED "MAP OF FOREST HILLS ADDITION, CITY OF FAIRMONT, MARION COUNTY, WEST VIRGINIA, DATED APRIL 1939" OF RECORD IN DEED BOOK 351, PAGE 27, WHICH REAL ESTATE IS IDENTIFIED AS PARCELS 143, 144, AND 145 OF MARION COUNTY TAX MAP 03-24, OWNED BY ROBERT CUTRIGHT AND SEVASTIANI PETRIDOU; RESERVING ALL UTILITY RIGHTS**

Mayor Straight entertained a motion and a second for the introduction of an ordinance providing for the abandonment of an unopened right of way of Cabin Trail.

Motion:

Councilmember Warner moved for the introduction of the proposed ordinance and the reading of a synopsis in lieu of the entire ordinance. Councilmember Yann seconded the motion.

The Clerk read the proposed ordinance by synopsis for the first time.

The Mayor declared the public hearing set for October 25, 2016 by voice vote of Council.

**IN RE: INTRODUCTION, FIRST READING, SET PUBLIC HEARING, AN ORDINANCE OF THE COUNCIL OF THE CITY OF FAIRMONT PROVIDING FOR AND AUTHORIZING THE PURCHASE OF THAT CERTAIN PARCEL OF REAL ESTATE SITUATE IN THE CITY OF FAIRMONT, FAIRMONT DISTRICT, MARION COUNTY, WEST VIRGINIA, TO-WIT: PART PARCEL PENNSYLVANIA AVENUE, AND BEING PARCEL 237 OF MARION COUNTY TAX MAP 03-29, IDENTIFIED AS 345 PENNSYLVANIA AVENUE, FAIRMONT, WEST VIRGINIA, FROM THE HEIRS OF ELMO AND BERNICE TRICKETT, AND AUTHORIZING THE CITY MANAGER TO EXECUTE AND DELIVER ANY NECESSARY TRANSACTIONAL DOCUMENTS, AND TO TAKE DELIVERY OF A DEED FOR SAID PROPERTY ON BEHALF OF THE CITY OF FAIRMONT; RATIFICATION**

Mayor Straight entertained a motion and a second for the introduction of an ordinance providing for the purchase of a parcel of estate at 345 Pennsylvania Avenue from the heirs of Elmo and Bernice Trickett.

Motion:

Councilmember Linger moved for the introduction of the proposed ordinance and the reading of a synopsis in lieu of the entire ordinance. Councilmember Mainella seconded the motion.

The Clerk read the proposed ordinance by synopsis for the first time.

The Mayor declared the public hearing set for October 25, 2016 by voice vote of Council.

**IN RE: INTRODUCTION, FIRST READING, SET PUBLIC HEARING, AN ORDINANCE OF THE COUNCIL FOR THE CITY OF FAIRMONT AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH THE WEST VIRGINIA DEPARTMENT OF TRANSPORTATION, DIVISION OF HIGHWAYS, WITH REGARD TO ESTABLISHMENT AND MAINTENANCE OF A TRAFFIC SIGNAL SYSTEM WITHIN THE MUNICIPAL LIMITS OF THE CITY OF FAIRMONT**

Mayor Straight entertained a motion and a second for the introduction of an ordinance authorizing the agreement with the WV Department of Transportation with regard to the establishment of a traffic signal at Fairmont Avenue and 10<sup>th</sup> Street.

Motion:

Councilmember Moran moved for the introduction of the proposed ordinance and the reading of a synopsis in lieu of the entire ordinance. Councilmember Yann seconded the motion.

The Clerk read the proposed ordinance by synopsis for the first time.

The Mayor declared the public hearing set for October 25, 2016 by voice vote of Council.

**IN RE: ADOPTION, A RESOLUTION A RESOLUTION OF THE COUNCIL FOR THE CITY OF FAIRMONT SUPPORTING THE IMPROVEMENT OF THE HISTORIC REHABILITATION INVESTMENT TAX CREDIT**

Mayor Straight entertained a motion for the adoption of a resolution supporting the Historic Rehabilitation Tax Credit.

Motion:

Councilmember Mainella moved for the adoption of the resolution. The motion was seconded by Councilmember Warner.

The Clerk read the proposed resolution by synopsis for the first time.

Roll call was taken by the Clerk.

The Mayor declared the resolution adopted by unanimous vote of those Councilmembers present.

**IN RE:       ADOPTION, A RESOLUTION TO RESCHEDULE THE REGULAR CITY COUNCIL MEETING OF DECEMBER 27, 2016 TO DECEMBER 20, 2016**

Mayor Straight entertained a motion for the adoption of a resolution to reschedule the December 27, 2016 Council meeting to December 20, 2016.

Motion:

Councilmember Yann moved for the adoption of the resolution. The motion was seconded by Councilmember Mainella.

The Clerk read the proposed resolution by synopsis for the first time.

Roll call was taken by the Clerk.

The Mayor declared the resolution adopted by unanimous vote of those Councilmembers present.

### **ADJOURNMENT**

The Mayor entertained a motion for adjournment.

Motion:

Councilmember Mainella moved to adjourn the meeting. The motion was seconded by Councilmember Yann.

The Mayor declared the meeting adjourned by voice vote of Council at 8:08 p.m.